IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO. 5570 OF 2005

Khelaram Krishna Patil ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr.R.K. Mendadkar for Petitioner.

Mr. R.D. Rane, Government Pleader for Respondent Nos. 1 to 3.

CORAM : F.I. REBELLO &
DR. D.Y. CHANDRACHUD,JJ.
DATED : 20TH SEPTEMBER, 2005

P.C.

. Rule. Heard forthwith.

. The Petitioner's application for issuance of caste certificate was rejected by Respondent No. 3. The appeal preferred against the said order has been rejected by Respondent No. 2. It is this order which is subject matter of the present petition.

. At the hearing of this petition, on behalf of the petitioner, the learned counsel produced a new document which was not available to Respondent No. 3 or Respondent No. 4. That document, according to learned counsel is the school leaving certificate of his father which shows his case as belonging to Hindu Mahadeo Koli. That document has been issued only on 14.7.2005.

. Considering the fact that the entitlement of the Petitioner and his progeny will be affected we feel that ends of justice will be met if the impugned order is set aside and the matter is referred back

to the Respondent No. 3 for reconsideration taking into account the new documents which has been now produced by Petitioner. On behalf of Petitioner, the learned counsel undertakes that the petitioner or his progeny will not take any benefit as belonging to Mahadeo Koli scheduled tribe untill caste certificate, if any issued by respondent No. 3 is validated by Respondent No. 2 according to law. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)